

**REMARKS**

By this Amendment, claims 6-11 are canceled without prejudice to or disclaimer of the subject matter recited therein, and claims 18 and 19 are added. Therefore, claims 1-5 and 12-19 are pending. No new matter is added. Reconsideration of the application is respectfully requested.

Applicants note with appreciation the indication of allowable subject matter in claims 4, 5 and 15-17. These claims are not rewritten in independent form at this time because their base claims are believed to be allowable, as discussed below.

The Office Action rejects claims 1-3 and 12-14 under 35 U.S.C. §102(e) over U.S. Patent No. 6,909,529 to Curtis. This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, a spatial light modulator which modulates light incident from a signal light source and generates signal light and reference light, and that the special light modulator modulates the signal light according to a signal to be recorded in an optical recording medium to cause a polarization direction of the signal light to have a predetermined polarization direction and to cause a polarization direction of the reference light to have a direction crossed at right angle with the predetermined polarization direction.

The Office Action does not identify a device disclosed by Curtis that performs these features, but alleges that col. 6, lines 49-53 of Curtis corresponds to these features.

Applicants respectfully disagree.

The cited portion of Curtis provides a general description of an SLM, which relates to a reflective SLM 128. As shown in Fig. 4, source beam 111 from a laser light source 110 is processed by a source beam splitter 112 so that the signal beam 142 is separated from reference beam 140. As described at col. 6, lines 40-43 and shown in Fig. 5 of Curtis, the signal beam 142 is reflected by a beam splitter 126 and enters the reflective SLM 128. Then, the signal beam 142 encoded by the reflective SLM 128 is transmitted through the beam

splitter 126. That is, the SLM of Curtis is merely an ordinary reflective SLM, which modulates light with a two-dimensional lattice of liquid crystal and reflects the modulated light. The SLM of Curtis generates only signal light, as apparent from the figures. Therefore, the reflective SLM 128 of Curtis does not modulate light incident from a signal light source or generate signal light and reference light, as recited in claim 1.

Moreover, Curtis does not teach or suggest that the special light modulator modulates the signal light according to a signal to be recorded in an optical recording medium to cause a polarization direction of the signal light to have a predetermined polarization direction and to cause a polarization direction of the reference light to have a direction crossed at right angle with the predetermined polarization direction.

Claim 1 also recites a wavelength plate that converts the signal light and the reference light into circularly polarized light in which the signal light and the reference light revolve in direction opposite to each other.

The Office Action alleges that block 120 of Curtis corresponds to this feature. However, as described at col. 7, lines 29-64, and as shown in Fig. 6 of Curtis, the block 120 includes an absorptive surface 120a, which merely filters out the center region 140a of the reference beam 140, and a reflective surface 120b, which merely reflects the signal beam 142 such that the signal beam 142 is directed toward object lens 122 along a path that is substantially parallel to the reference beam optical axis. Therefore, the block 120 of Curtis is used for light absorption and reflection. Specifically, the absorptive surface 120a absorbs and filters the zero-th order component of reference light, and the reflective surface 120b reflects the signal light. Curtis does not teach or suggest converting the signal light and the reference light into circularly polarized light in which the signal light and the reference light revolve in direction opposite to each other, as recited in claim 1.

At least for these reasons, Applicants respectfully submit that claim 1 is patentable over Curtis. Withdrawal of the rejection is respectfully requested.

Claims 2 and 3 are patentable at least for their dependence on claim 1, as well as for the additional features they recite.

Claim 12 recites features similar to those of claim 1. Therefore, Applicants respectfully submit that claim 12 is patentable over Curtis for the reasons set forth above.

Claims 13 and 14 are patentable at least for their dependence on claim 12, as well as for the additional features they recite.

At least for these reasons, Applicants respectfully request withdrawal of the rejection.

Claims 18 and 19 recite that the signal light and the reference light are coaxially transmitted through the special light modulator, the wavelength plate, and the condensing optical system. This feature is shown in Fig. 1, for example. Curtis does not teach or suggest this feature. As such, claims 18 and 19 are patentable at least for their dependence on allowable base claims, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Klifton L. Kime  
Registration No. 42,733

JAO:KXH

Date: December 6, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

DEPOSIT ACCOUNT USE  
AUTHORIZATION  
Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461